THE FATAL STABBING AFFRAY.

FOUR ITALIANS UNDER ARREST. The boy, Michael Batters, who was stabbed by an Relian on Sunday night in Worth street, died yesterday morning about 4 o'clock at the New-York Hospi It appears that two women, named Bridget Burn and Mary Lansway, were standing in the doorway of No. 109 Worth street, when some Italians, who appeared to be intoxicated, accosted them. Mrs. Lanaway called them loafers, and told them to clear out. One of the Italians turned back and kicked Mrs. Burns and then struck at her. A boy named James McGovern was on the stoop and saw the Italian attempt to draw a knife, when he (McGovern) struck him, then seized a stone and threw it at him, and ran away. The Italian proceeded across the street, where deceased was standing, and a moment after, when he

came up, learned that Batters had been stabbed. Yesterday, Coroner Connery commenced an investigation at the New-York Hospital, shortly after which Officer Doran of the Sixth Ward, together with Officers Costello, Webb, and Story came in with four Italians whom they had just arrested at a drinking-place in Church street, who were suspected of being implicated in the murder. They gave their names as Joseph Gentileni, Benedetto Martatesta, Benedetto Martates ta and John Robinson. Two of the men were armed with dirk-knives, and one of them was seen to draw sheath-knife and conceal it behind him, when the officers were making the arrest. Gentileni and Robinson were identified as having been present on the night of the affray, and the first-named is supposed to have committed the murder. The two women, Mrs. Burns and Lanaway were held to bail, as they appeared to avoid telling all they know about the affair.

The following is the testimony taken:

Catharine Ferry, sworn—I live at No. 7 Franklin street and am aunt to the deceased; I heard that on last Sunday my nephew, who lives in No. 7 Franklin street, went out after tea, telling his grandmother that he was promised work as a folder in a printing office; he went up toward Broadway from Elm street, and I heard that at that time there were boys in the streets throwing stones at Italians; they (the boys) running toward Broadway, and being pursued by the Italians, my nephew was stabbed; that is all I know of the matter.

John Wair, heing aware and I work at No. 10. The following is the testimony taken:

matter.

John Weir, being sworn, says—I reside at No. 43
Elm street; on Sunday evening, between 8 and 9
Clock, I was in company with a number of boys
about the location of No. 107 Worth street; I saw one about the location of No. 107 worth street: I saw one of the Italians make a blow at Mrs. Byrns and Mrs. Lanaway; the boys then fired stones at the Italians, and then scattered in every direction; deceased was with the boys, but did not throw any stones at the Italians; I saw one of the Italians put his hards into his pocket and pull out something, as I was informed by another boy named James McGovern, who told me hit him on seeing something in his hand; the same boy said he hit the Italian with a stone and then ran away; the man I saw put his hand is his pocket was about five feet four inches and stout; he was dressed in black, with a brownish Kosauth hat. as dressed in black, with a brownish Kossuth hat

was dressed in black, with a brownish Kossuth hat.

Bridget Barns, sworn—I reside in No. 109 Worth
street, and keep apartments there; on Sunday evening Mrs. Lanaway and myself were standing at my
door, between 8 and 9 o'clock, when two Italians going
past insulted Mrs. Lanaway; she said "go out of that
you dirty loafer;" I then put my hand on his hat and
asked him who he was speaking to; he went on three
or four feet and then returned and gave me an awful
kick on the taugh; he then raised his fist and struck at
me, when I stooped my head and he hit the jam of the
door; my daughter, who was standing alongside, cried
out "that man will kill you;" I then ran to the middie of the street, and looking around saw the two
Italians and the boys running toward Broadway; the
Italian I saw was about five feet five inches high and
rather stout; he wore a yellowish olive coat and a rather stout; he wore a yellowish olive coat and a Mary Lanaway, of No. 215 Worth street, corro-

Mary Lanaway, of No. 215 Worth street, corroborated the testimony of Mrs. Burns.

Henry D. Noyes, M. D., testified that deceased was admitted to the Hospital en Sunday night, and died at 4 o'clock yesterday morning; his death was caused by a stab in the right side of the abdomen; either of the two dirk-knives found on the prisoners would have

John McGraw—I reside at No. 430 Worth street, with my father and mother; am a newsboy; was in Worth street last Sunday evening at 8 or 84 o'clock, in Company with five or six other boys; I saw one of the Italians make a blow at Mrs. Burns; she dodged back and he hit the jam of the door; he walked a couple of steps up; I then went on the opposite side of the street and saw one of the Italians coming across to the side we were on, when one of the boys in my company threw a stone at him; the boy that was stabbed was in our company; immediately after Michael Batters came up and said he was stabbed; I saw him bleeding; they took him around to Pearl street to a doctor's; the doctor told them to take him to a barber's as he could do nothing with him; one of the boys then went for a Policeman, and deceased was taken to the Hospital. John McGraw-I reside at No. 130 Worth street

pital.

The witness was then directed to go rou The witness was then directed to go round the room and see if there was any person present that he saw some across the street toward the other boys. After looking around, he readily pointed out a young Italian (Gentileni) as one of the persons who came across, but could not say which of the two stabbed deceased. I would know the other Italian if I saw him. [After being directed to look again, he said he did not see him present.] The other Italian was a tall man, about 5 feet 9 inches, and not very stout; cannot say when the same of the same results are the same results. 5 feet 9 inches, and not very stout; cannot say whe-ther or not he wore whiskers; he wore a gray coat, black pants and black Kossuth hat.

black pants and black Kossuth hat.

James McGovern (a boy), sworn—I reside at No. 97

Baxter street; was acquainted with Michael Battles, deceased; he was in company with me on Sunday evening between 8 and 9 o'clock; me and another boy were mussing; he went to hit me with a stone, and I caught held of and took it away from him; those well as the said I was scared to hit him; there came a crowd around, and I heard a pane of glass break; saw a man standing in front of me; he put his hand into his pocket, and out taking it out appeared to be opening a knife; I hit him and staggered him, and then picked up a stone and fired it at him, when he ran across the street to where deceased was; I walked down the street two or three beuses, and on going over, Battle told me he was stabbed; I went around to the doctor's with deceased; said he was stabbed by the man who came across the street.

Coroner-The other boy has pointed out one of the men he saw cross the street.
Witness-I do not know that I could identify the

men he saw cross the street.

Witness—I do not know that I could identify the man.

Witness then pointed out two af the prisoners present, who corresponded with the one he saw cross the street. The men pointed out gave their names as John Robinson and Benedict Manichesti.

Leander John Dajarric, sworn—I reside at No. 169 Church street; do not know deceased; between 8 and 9 o'clock Sunday night I was at my house; my father keeps a liquor store there; on Monday evening the curly-headed Italian (identified by the boy as the one who crossed the street toward deceased) and three others, one of the others being present, came in; they were leading in the curly-headed Italian; I went outside on an errand, and seeing a crowd was told that a child had been stabbed; Glodel was the man that told me a child had been stabbed; the said some of the four Italians were concerned in the stabbing; the man who gave his name as Robinson was one of the four Italians who came into our house.

Thomas A. Doran sworn—I am a policeman of the Siath Ward; on Sunday evening I was told that a both had been stabbed by three Italians; found the deceased who was stabbed in Pearl street, and brought him to the New-York Hospital; a young man came to the Station-House this morning, and said he thought be saw the Italians go through Worth street; the captain sent me with him and other boys to search for them; one of the boys pointed them out; John McGraw is the name of the boy; Officers Costello, Webb, Story and myself arrested the four Italians and brought them here.

John Glodell, sworn—I reside at No. 89 South street; was in Church street on Sunday evening last, between 5 and 6 o'clock; I was in front of a Frenchman's liquor store, and saw five Italians go in there; the two I now see were of the number, and another not present; they remained some time, and, when they came out, went up Leonard street toward Broadway; after the stabbing affray I saw Benedette Matatesta and Arratta Luigi, the former and another not present in their shirt sleeves; a

APTERNOON SESSION.

APTERNOON SESSION.

Thomas Loftus, sworn—I am I 4 years of age; I reside corner of Elm and Worth streets; was in Worth street on Sunday evening, but saw nothing of the disturbance; the next morning Hugh McCoy pointed out the four prisoners present, and said one of them (Gentlini) was one of the men engaged in the fracas; I followed and caused their arrest.

Maria Pendula, Norn—I reside in the same room with Mallesta, one of the prisoners; he was at home at 6 o'clock Sunday evening, and went to bed before I did.

The testimony was here closed, but afterward sev-

eral other witnesses were recalled, and the following

additional facts were elicited: additional facts were elicited:

Bridget Malone, a very intelligent little girl, who was standing upon the cart at the time of the fracas, identified Gentlini as the person who came across the street with something in his hand and struck deceased, he then appeared to close a knife and put it into his pocket; she was very positive as to his identify.

Ann Foley, another little girl, identified John Robinson as the man who kicked Mrs. Burns and struck at the rest identified him, hy a way near his right even

her; she identified him by a scar near his right eye and a pink shirt.

Two or three of the previous witnesses were recalled, and their testimony was made stronger against some of the prisoners.

The jury find that Michael Battles came to his death by an incised wound in the abdomen, inflicted in Worth street, on Sunday evening, May 3, by Joseph Gentilini, and that Giovanni Robinsona, alias Joh Robinson, who kicked Mrs. Burns, was in his company that evening, in Worth street.

The above-named parties were accordingly committed to await the action of the Grand Jury, and the other two prisoners were discharged.

FIRES.

FIRE IN BLEECKER MEETET.

On Monday night a fire occurred in the fancy store of Mr. Hendrickson, No. 2744 Bleecker street, in consequence of some light goods in the show-window coming in contact with the lighted gas burner. About \$200 worth of laces and other goods were destroyedfully insured in the Bowery Insurance Company. fire was extinguished by the occupants without raising

CITY ITEMS.

The Executive Committee of the Republican Cenral Committee meets at No. 659 Broadway this even

GARROTER CAUGHT .- James Cwick, a native of Ireland, only £8 years old, an old offender, was yester day committed to prison by Justice Davison of the Jefferson Market Police Court, on a charge of garroting and attempting to rob a Mr. Wm. Ross in Canal street the previous night. The accused threw one of his arms round the neck of Mr. Ross, and at the same time introduced the other into one of his pockets for the abstraction of its supposed contents. Officer Beach of the Eighth Ward took Cusick in charge who was disposed of as above stated.

ROBBING A FREIGHT CAR ON THE HUDSON RIVER RAILROAD .- During last week a young man Lamed James Williams alias Crency, or James Crancy alia Williams, was arrested on some petty charge and committed to the City Prison for examination. Subsequent to the arrest, Officer James Martin of the Sixth Ward received information that said Williams or Craney had perpetrated a grand larceny and robbell one of the freight cars of the Hudson River Railroad Company of a large quantity of valuable goods. Officer Martin yesterday made affidavit that he took the prisoner from the prison, on an examination-paper, to the Sixth Ward Station-House, and there searched him on suspicion of his having committed a lazeny upon the National Express Company on the 22d of December 1856, in a freight car of the Hudson River Railroad at the foot of Canal street, at which time upward of \$500 worth of goods were stolen. Deponent found a key in the prisoner's possession which fitted the lock of the freight-car that was robbed. Williams, alias Craney, acknowledged to deponent that the key fitted the car of the National Express Company, and with it he and others opened the said car and took the property therein, consisting of shawls, plaid merinoes, silks, mantillas, laces, lace collars, &c.

Mr. Pullen, of the Express Company, deposed that on the 22d day of December, 1856, he placed in one of the freight cars of the Hudson River Railroad, at the foot of Canal street, under lock and key, fancy and staple goods, consigned to the firm of Israel Smith & Co., of Rutland, Va., said goods being of the value of \$513 61. That upon the following day he received notice from Troy, whither the car had proceeded, that the property had been feloniously taken from said car by some person opening said car with a false key. That from information received from Officer Martin he has reason to believe that the prisoner

Justice Connolly held the prisoner for further ex-

amination.

DEATH FROM SUFFICIATION AND BURNS,-Coroner Gamble held an inquest yesterday at No. 114 West Thirty-third street, on the body of a man named John Rauls. It appears that he was engaged cleaning the flues at the steam saw-mill corner of Twenty-eighth was engaged at the other, when the foreman, John Drew, heard him groan. Drew handed down a stick and told him to catch hold of it. Deceased did so, but was unable to hold on. Assistance was then called and when Rauls was taken out, life was extinct. The Jury rendered a verdict that deceased came to his death by suffication and burns, accidentally received while cleaning out the flues of the steam saw-mill foo of Twenty-eighth street and Eleventh avenue.

BURGLARY .-- A few days ago Officer Fagen of the Fourth Ward arrested a man, who gave his name as Henry Schieck, on suspicion of burglary, and took him before Justice Connolly, at the Lower Police Court when he was committed for examination. Yesterday afternoon Timothy Donovan of No. 188 Eldridge street made an affidavit setting forth that the man now in prison, under the name of Henry Schieck, is one of the four persons who committed a burglary at No. 13c Suffelk street on the night of the 11th or morning of the 12th day of March last, said premises being a pri vate dwelling. At the time above mentioned, deponent saw three men standing near the said premises-two by the alley-way and one near the corner. Deponen saw said Schieck, who goes by the name of Babe, and sometimes Nick, or one of the other men, come out of the premises with a bundle under his arm. Deponent ran after the man, when he or one of the other men fired a pistel at him, which shot depouent returned firing at Schieck and the two other men who ran in the same direction, and then gave up the pursuit. Dono van returned to the house and aroused Mr. Thompson the occupant. Some property was found packed up ready for removal, which Thompson identified as his The property stolen was valued at about \$90. The prisoner was committed to answer in cefault of \$2,000

A physician sends the following for publication recommending, besides, that it be printed as a poster and placarded on the wharves. The swimming season is at hand, and a knowledge of these rules for restoring drowned persons may save valuable lives, especially during the Summer months, when so many person venture into the water:

RULES FOR RESTORING THE DROWNED.

RULES FOR RESTORING THE DROWNED.

BY MASSIALL HALL, M. D., F. E. 5.

The following rules are the result of half a year's investigation of space and sphyals—a subject which I propose to prosecute still further, knowing that truth only comes of long-continued labor and research. I wish especially to put to the test of careful experiment the correctness of the dogmental that if the hearth has once ceased to beat, its action can never be restored—a dogment calculated to paralyze our efforts in many cases in which hope may not be totally extinct:

First Treat the pathent instantly on the spot, in the open air, except in severe weather, freely exposing the face, neck and chest to the breeze.

First: Treat the patient instantly on the sace, neck and except in severe weather, freely exposing the face, neck and chest to the breeze.

Second: Send with all speed for medical aid, and for articles of clothing blankets, ke.

Taird: Place the patient sently on the face, and with one arm under the forchead, so that any fluids may flow from the throat and month; and, without tose of times.

I.—To Excite Respiration.

Fourth: Turn the patient on his side, and—tiat.)—apply and or other irritant to the nestrils. (2d)—dash cold water on the face, previously rubbed briasly natilities warm. If there be no success, again tose no time; but

II.—To Initiate Respiration.

Fifth: Replace the patient on his face; (when the tongue will fall forward, and leave the entrance into the wind-pip free; then.

will fail forward, and leave the entrance into the wind-pipe free; then,

Sixth: Turn the body gently, but completely, on the side and
a little beyond, (when inspiration will occur), and then on the
face, making gentle pressure along the back, (when expiration
will take place) alternately; these measures must be repeated
deliberately, efficiently, and perseveringly, lifteen times in the
minute, only; meanwhile—

III.—To induce Circulation and Warmit.

Seventh: Bub the limbs apwards, with firm present as with energy, using handkershief, he for towels.

Eighth: Replace the patient's wet cisthing by such covering a can be instantly procured, each hystander applying a consulation of the control of the patient, he wastered, he because of the patient, and while they can price all that can be immediately done for the patient, excluded appraisal galvanian the control of the patient, excluding appraisal spiration, the control of the patient, excluding appraisal spiration and control of the patient.

all that can be immediately done for the patient, exclude paratus, galvanism, the warm bath, to a seless, not to jurious, especially the last of these; and all loss of time in val. &c. as fatal.

[Advertisement.]
Ladies in pursuit of the latest fashions, at moate prices, will find in the immense and varied stock of P.
Willor, No. 26 Brondway, all that Paris has produced for
present season in Silk Bonnets, Straw Goods, Silk OLaces, Artificial Flowers, Dress Caps and Head Draperies,
net Frames, &c. The Warsrooms are opposite the Park
unrivaled in extent and location in this city.

STRAWBERRISS -- 600 baskets fine fresh Straw-ernes, just received, for sale at Taylon's Saleon, Broadway, erner Franklin-st.

[Advertisement.] To CLERGYMEN.—"If a man wishes to know practically what he is made up of; if a man wishes a knowledge of human nature for definite practical purposes, there is no system which will aid him in acquiring that knowledge like the system of PHEROUGHY." [HERN WARD BEECHES. Practical Instruction, with Written Descriptions of Chara-ter, given daily by Prof. Fowlas, No. 308 Broadway.

[Advertisement.] JAMES PYLES'S DIFFETIC SALERATUS
Has no equal in making Biscuit, Cake and Pastry of all kin
light and nutritious. For sale at all the Groceries. Depot 2
313 Washington-st.

The University, Washington Parade Ground. th Rountain and 2,000 people in groups were Photographic being by Hol. NE's new Pictuse Observatory, Illustrating the important subjects of the city. Depot No. 289 Broadway.

[Advertisement.] DAAPHANEOTYPES,

PES,
DIAPHANKOTYPES,
DIAPHANKOTYPES,
Promoun This new and beautiful style of pictures, pronounced the Ne Pins Ultra" of the Photographic Art, can be procured only the floor Gallery, No. 363 Broadway.

[Advertisement.]
STARTEING SUCCESS of "Neighbor Jackwood, the new donestic dram at Bankwi's Mississ—the most ded did not earn made yet, even at the Museum. It is to be repeate a capital style this afternoon and this evening.

BROOKLYN ITEMS.

A DRY GOODS CLERK ARRESTED FOR GRAND LAR ENY .- A very spruce, daudyish looking young man named Cholwell Cooley, clerk in Mr. Chambers's dry goods store in Grand street, was arrested yesterday by Officers D. Jacobs and Murphy of Justice Clarry's Court, on a charge of grand lasceny. The complaint was made by Thomas Porter, day goods dealer at No. 256 Third avenue, New-York, who charges accused with stealing goods valued at \$100 between the wouth of March and November, 1856, although he thinkthis but a small portion of the amount of goods taken Part of the missing goods were found in the trunk of accused at his boarding-house, in South First street. A few weeks since an officer from Providence, R. I. was in New-York, endeavoring to effect the arrest of Cooley on a charge of stealing goods from a merchant in that place to the value of some \$3,000. Accused was taken before Justice Clarry and committed to await examination.

NEW-JERSEY ITEMS.

NEW PROCESS OF TANNING LEATHER .- The Hight NEW PROCESS OF LANNING LEATHER.—The Hights town Record, in referring to the reopening of an old tannery in that place by Dr. E. McChesney and Mr. Edgar N. Ely, asy they intend to manufacture by a new process, patented by R. Gonid of White Water, by which leather may be made much quicker and cheaper than by the old method, and seems to be equally a rood, front better. The editor states that a piece of sheepskin had been tunned by the new process in less than a week. A right to manufacture in Freehold township, Momenth County, was sold last week for \$1,000.

A diabolical attempt was made at Milltown on las Monday evening by two miscreams to shoot Mrs. Henry Soder and daughter. They fixed a run boaded with large buckshot into the room in which the women were, just missing their heads the powder burning the face of the former, while the hair of the latter was filled with the broken glass of the window and burn

ISSTALLATION.—The Rev. Dr. Abraham R. Polhe mus, lete of Hopewell, N. Y., was installed on Su as pestor of the North Reformed Dutch Church in

Muscles, containing valuable pearls, The Monm

MARRIED.

FITZKE-LENTZ-On Sunday, May 3, by the Rev. Mr. Guldin, Mr. Charles A. Fitzke to Miss Henrietta R. Leutz, daugher of the city.

Netherth and Western research of this city.

Netherth and Western research of the city.

Not bright and Western research of the city.

Not bright and Western research of the city.

Not bright and Western research of the city of the Rev. Arthur Baker, M. A. Capt. John R. Hisys, second son of Henry Phys, esq., late o Regent street, London, now of Broadway, New York, to Matida, youngest daughter of Wm. Bowler, esq., of Wellington and Canterbury, New Zealand.

METTERS-BOND-On Tuesday, May 5, by the Rev. L. H. King, Mr. Thomas Metters of Columbus, Ohio, and Matilde Bond of Plymouth, England. NORMAN-ROOSE—In Brooklyn, on Sunday, May 3, at the residence of the bride's parents, by the Rev. Dr. B. C. Cutler, Rector of St. Ann's Church, Mr. C. Fredk. Norman to Miss Hamah H. Roose of Brooklyn.

REKERMAN-WILKINS-On Sunday, May 3, by the Rev.

SKERRY-ROSE-On Sunday, May 3, by the Rev. Mr. Do-ling D. D., Mr. John Skerry of Maine, to Miss Kate Rose

smith-BROOKS-On Thursday, April 30, by the Ret. Wm Dewey, Austin B. Smith to Miss Clarises M. Brooks, daughte of Lemuel Brooks, both of Churchville.

BIED.

ANGELL—At Boston on Friday, May 1, Joseph K. Angell, a well-known writer on legal subjects, aged 60 years.

BENHAM—In Fast Brooklyn, on Monday afternoon, May 4, Adelia, eldest daughter of Miles Benham, eaq., formerly of Penn Yan, Yates County, N. Y. COWL—At Peterson, Fulnam County, N. Y., on Tuesday, April 23, after a lingering illness, which she bore with Christian fortitude and resignation, Mrs. Lydia Cowl, wife of the late Wm. Cowl, in the Tist year of her age.

CORNELL—On Sunday, May 3, after a long and painful illness George Washington Cornell, youngest son of Peter and Jan-Cornell, aged 2 years, 3 months and 11 days. CLARK—On Monday, May 4. Thomas J. Clark, son of James and Bridget Clark, aged 2 years, 8 months and 17 days. and Bridget Clark, seed 2 years, 8 months and 17 days.

CARROLL—At Memphis, Tenn., on Sunday, April 26, the
Hon. Thomas B. Carroll, Mayor of that city.

CRUMMY—In Brooklyn, on Monday, May 4, of disease of the
lungs, John L. Crummy.

Morrisanis, on Sunday, May 3.

DEAN—At his residence, in Morrisania, on Sunday, May 3, William H. Dean, formerly of Boston, aged 39 years.

GIBB—Suddenly, on Thursday, April 30, of apoplexy, Mr. Alexander Gibb, Baker, of this city, aged 49 years, a native of Dunfarian, Scotland.

Alexander Orloo, Bakr.

Dumfarian, Scotland.

GREEN-At Lawrenceville, N. J., on Saturday, April 25, in the 5th year of his acc, Charles Dickinson Green. He was for a number of years Editor in the District of Columbia, and was present at the funeral of Ges. Washington at Mount Vernon BLYONS-On Monday, May 4, Robert E., son of James S. and Julia Lyons, aged 1 year and 4 months.

LUCEY-On Monday, May 4, after a protracted illness, Eliza, wife of Robert V. Lucey, aged 51 years.

wife of Robert V. Lucey, aged 51 years.

Mundy, one of the control of the con

notice.

OLDENBUTTLE—On Monday, May 4, after a short but sever illness, George D. Oldenbuttle, aged 32 years and 3 menths. illness, George D. Otochouste, OLIVER—At sea, on Friday afternoon, May I, at 2: o'clock James L. Oliver of Jefferson, Ashtabula County, Ohio.

OLIVER—At sen, on Friday anternous, any t, at 22 Octoes, James L. Oliver of Jederson, Ashtabula County, Ohio. PRATT—On Mouday, May 4, Catherine R., wife of George Pratt, in the 49th year of her age. Her friends and acquaintances, also those of her brother, Geo. W. Shaw, and her brother in law, Jan. De Lamater, are respectfully invited to attend her foneral on Wednesder next at 1 p. m., from her late residence, No. 177 West Twenty-fourth street, without further notice. To be buried at the Cemetery of the Evergreens.

PATTISON—On Tuesday, April 29, Mr. William C. Pattison, in the 45th year of his age, a native of Scotland, formerly Fresident of the Workingmen's Literary Association, a member of the Mechanics' Institution, a Police Commissioner of the City of Glasgow, and for several years proprietor and conductor of The Practical Mechanics' Magazine.

SMITH—On Sunday evening, May 3, Ellen, youngest daughter of Peter and Ellen Smith, aged 2 years and 1 month.

SHIELS—On Monday, May 4, David Shiels of County Tyrone, Ireland.

SHIELS—On Monday, May 4, David Shiels of County Tyrone, Ireland.

VAN VORST—On Sunlay, May 3, Frank, son of Amanda and the late Thomas Van Vorst, aged 5 years and 7 months.

WILLIAMS—At Seath Youkers, on Monday morning, May 4, Frank Thurston, only son of William and Cathrine Williams, aged 2 years and 7 months.

The relatives and friends of the family are respectfully invited to attend his funeral from the residence of his parents. South to attend his funeral from the residence of his parents. South Yonkers, on Wednesday, at 10 o'clock am. His remains will be taken to Greenwood for interment.

WINDLE—On Monday, May 4, William B, Windle, in the 70th year of his age.

The funeral services will be held on Wednesday at 16 a.m., in the Church of the Incarnation, Maddison avenue, corner of Twenty-eighth street. The remains will be taken to Staten Island. The friends and relatives of the family are respectfully invited to attend.

WASHEON—Buddenly at Butternuts, Otsego County, N. Y., on Monday morning April 27, of disease of the heart, Zenas Washbon, and 60 years.

on Monday morning April 27, of disease of the heart, Zenas Washbon, sged 66 years. WILSON-On Monday morning, May 4, Catharine B. Wilson. aged 25 years. WILLIAMS—A: Hamburg, Eric County, on Sunday, Peb. 22. Ence Williams, aged 52 years. THE MURDER OF DR. BURDELL

Trial of Mrs. Cunningham and J. J. Eckel.

SECOND DAY'S PROCEEDINGS.

COURT OF OVER AND TERMINER-Before Judge Davis TUESDAY, May 5, 1857.

The room of the Marine Court was filled early th morning; people stood in all imaginable position and places, and looked wistfully through the folding doors. The commands of officers were frequently necessary to prevent them from raining the new furn ture of the court-room. The court-room was kept comparatively free, only jurors, witnesses and report ers being allowed to enter. At 10:05 a. m. the cour was opened, and the Clerk called the Jury.

Mr. Hall, District Attorney, then proceeded to say May it please the Court and Gentlemen of the Jury The duty is assigned to me by the prosecution of proparing, in the usual legal way, your minds to receive the evidence which the prosecution, under the rules of law, will offer in support of the indictment upon which this defendant at the bar was yesterday arraigned. The prosecution propose to prove by the testimony which it deems, in its chain of progression, though formed of small, and, to some extent, delicate links, perfect chain of mental conviction; we propose to perfect chain of mental conviction; we propose to prove that one of your late fellow-citizens, Dr. Harvey Burdell, whose dying moments were with the dying moments of the first month of this year, for toward midnight on the last day of January he ceased to be your fellow-citizen—but to you, as Jurors, his memory survives—we propose to prove that this gentleman was murdered with malice aforemonded by the sanctity of his own home; that the deed was premeditated: that all the circumstances show that; that it was a deed which shows upon its very impress the marks of dreadful hate, a revenge for some injury unatoned for in immertal consciousness: that by the circumstances, some one in that house, which was his house, did the deed; that diere is a total exclusion of every person in the world from the circumstances. Some one who, more than any other person in the world, had the motive, with malice aforethought, to premeditate and accomplish that horrible deed; that that person was a woman, was this defendant; and that clustering around all these circustances is the irresistible mental conviction that that deed was the deed of a woman—a deed to a great extent unartificial—a deed planned and contemplated from a different stand-point from which men of the world contemplate crime, perpetrated to a great extent with that ignerance of human nature which, compared with men of the world, women at all times in history have possessed, and at all times in our own history claim. You will perceive that there is an instant distribution here of the persons—the dead and the morderer, and the circumstances clustering round them both. You will confine your attention to two parts of this whole case: that part which relates to the persons, and that part which relates to the order words of mine to bring before you the sensations and the convictions which filled your breast, when in the morning, at your breakfast tables, you read of this horrible deed; it needs no feeble words of mine to bring before you the feelings which you, as fellow-ci prove that one of your late fellow-citizens, Dr. Harvey Burdell, whose dying moments were with dying moments of the first month

our duty we shall mince no words before you, gentle men. Crime has no sex; crime has no peculiar attri-bute of its own; no difference, when it settles in the one breast of the man, or in the other breast of the woman. You are not here to judge the woman, but the crime; you are not here to pronounce alone upon the woman, but upon the person who is named in the indictment. Oh! it is no wonder that all these hely associations that cluster around the box when a case of this kind comes before the public eye. When we remember the mother of our prayers, when we remember the sister of our household adoraeye. When we remember the mother of our prayers, when we remember the sister of our household adoration, when we remember the wife of our life until death, when we remember the children who are to be the future women of the world, that sit upon our knee, and we feel as we look upon young girlhood and growing maidenhood—we say, can it ever be that this being, upon which God Ahnighty has put his own seal of parity, should ever live to be the perpetrator of crime; the midnight assassin; to cherish hate and revenge and jealousy! And yet, when we open the book of history, we are forced to come to the conviction that crime knows no sex. While in our earliest studies of Romish history we read of her who, having murdered her husband, the servant of imperial Rome, drove her chariot over the dead body of her father; and in the time of imperial Rome, the name of Messalina has become a historical word, and the Fulvia, when the head of Clicero was brought to her, she spat upon it, drew from her bosom, which had nourished children, a bodkin and drove it through his tongue until it quivered; and the same dramatist who speaks about the wife of William Tell, will speak of her who foreswore the very maidenhood purity of her name—Agnes, Queen of Hungary, who bathed her feet in the blood of the Sixty-three Knights, and the same Evangelist who speaks of her who was and the ware Evangelist who speaks of her who was and the same Evangelist who speaks of her who was nathed her neet in the blood of the Sixty-Gree Knights and said: "It seems as if I were wading in May dew;" and the same Evangelist who speaks of her who wallast at the Cross and first at the grave, tells us in the same Gospel of her who bore upon a charger the head of her deadly enemy, the forerunner of him who was the Savior of the world.

—"I was a woman once.

A thing to nourish children at my breasts.

And hear their sngel-whispers in my dreams:
But now, with sorer travall, deeds of wrath
And ghastly horrors take their birth from me.

And shastly horror take their birth from me."

Remember the relationship which existed between the gentle and the loving Cordelia and the infanous Regan and Goneril; and the same hand who drew Rosalind, Cecilia and Beatrice, has handed down to immortality—for there is an immortality of infamy—the infamy of that Lady Macbeth, a prototype of just such women as this defendant. I deem it my duty to call up this woman, and to adjure you to remember that there may be sometimes only so much of a woman as will be left in the body; but the mind, the immortal mind, is that original immortal mind that became the original fiend. All through life, since she knew him, she pursued him with a fiendish hate, jealousy, and a fiendish revenge, until the knife of this woman-fiend found its unholy repose in the heart of him whom she thought to have made her own. Deem not, then, that I am wasting your time; deem not that as, pausing in the testimony, I make, these references. The prosecution labor under this disability of sympathy. We call upon you, as reflectors of history, as acquainted with human nature, as able to lay out of your minds all your previous sympathies; to look upon the deed which we shall translate before you in the evidence from the wincess-box, as a simple deed of malicious, horrible, revengeful crime. She had known him three years, and she said he was the father of a child who never saw the light. She was his mistress, though she claimed to be his wife; and if I shall show by this testimony to you that she deserves, from her own words, no sympathy, no respect, then, to that extent, I have done my duty. And I challenge you, in all this testimony, and I challenge the eloquence of my learned friends upon the other side, to find in this evidence one iota of testimony which shall show her to be other than I have described her by reference to history and the testimony. She was jealous of him: she haunted and hunted him, up stairs and down stairs, in his privacy and publicity; she was in this world that picture of remor Remember the relationship which existed between awaited him. The very domestics will take the roof of that house off and let you look into the depth of moral degradation which clustered around

this woman. Why, in olden times, the mo-ment you started with a woman who, in a house with her own daughters, had prostituted himself in crime, would fitly go beside that person-that woman in form, though fiend in mind. And the demostics will tell you how she hunted and hannted himself in crime, would may go occase that person—that woman in form, though fiend in mind. And the demostics will tell you how she hunted and hannted him. Police officers we shall bring to you, that came from the effect this bidding, to settle the quarrels that clustered around him. A police officer who came that clustered around him. A police officer who came there in September and saw this woman strike him—other officers who came in later, who heard her asseverate that she was his wife by every tie on earth—morally perhaps she was and morally perhaps she is—and even their quarrels were forced upon the public through the lynx eyes of these policemen who were called in. And there was litigation between them. She sued him, claiming that there had been a breach of promise of marriage, and that there had been seduction. Those suits were dated in October, and the quarrel comes down to the very night of this occurrence, when she followed him to the door with the dreadful threat upon her lips which we shall show to you. Those suits were settled, and most extraordinary papers were drawn up and signed by him—this hunted, haunted man, by this fiend in human shape—papers which you would shrink from—which you would not sign, unless you were convinced that she who commanded it was your mortal enemy, unless you had upon your soul the dreadful presentiment which was upon him. And they came to the house of an intimate friend of the family, Dr. Thompson, and forced their quarrels upon him, she following him into the house, as the Doctor will tell you. She, with the sly cunning of her sex, took domestics into the room next door to his and saving to them: with the sly cunning of her sex, took domestic into the room next door to his and saying to them "Now, listen to the words that occupy the time be with the sty cumming of her sex, lock dominates into the room next door to his and saying to them:

"Now, listen to the words that occupy the time between the Doctor and myself"—her spies, she thought. Ah! not so, thou artful woman sturning toward Mrs. Cunningham, who did not look so very artful), the spies of justice, who will be here to-day to tell what passed between them—words so loathing that even the domestics shrank in horror back to the kitchen, to remember well for future use what they had heard. And there came to the house one day he who sits in Court, a man that neither you nor I would quarrel with. The greedy, lustful eyes of this woman-fiend were fastened upon him, and by the evidence in this case—irresistible and not to be confuted—he became, in one story, the counterpart of him who had been her paramour on the story below. And she did love him; she did love him, this man Eckel, and she, the mother of daughters who were themselves candidates for marriage, fastened her greedy, lustful eyes upon him. I have nothing now to say of him; let him be taken care of hereafter. But this we must not forget in this case, as step by step there is progression, that whether she was the wife of the murdered man or his former mistress, in either case she was alike guilty of the grossest infidelity in her conduct with him who occupied the apartment adjoining her own. He had made up his mind to let that house, of which she was the tenant and he the landlord, to another person. And she heard of it; she saw that which was going on, and, gentlemen, on the very night before the murder, the very respectable lady who was to have become the tenant of that house for the year commencing last Friday, was going through the house, meeting the servants, and seeing her and going out, she still, though he was absent, pursuing him, comes down before one of these domestics and says: "Hannah," which was the name of the cook, "what was that woman doing here?"

Why, madain she was looking through the house."
Is she going to take this house!"
Yes: they've been looking all around in the

kitchen." Is Dr. Burdell going to let this house to her?"
"Yes, it looks so."

"Yes, it looks so."

Then she said, and the man of the world would not have said, what fell from her lips:

"Before to-merrow merning he shall be a corpse," or "he may be a corpse," and on that very moraing she had said to the boy that the Doctor was a very passionate man, and might not live another day. And on this very Friday, this superstitious day, the day before the day which was to turn her out of the house and to put this other person in there, on that very night the deed was done. On the very day that this newly-found tenant had come to inspect the house, the murder is done. The Doctor was a regular man; his outgoings and incomings were regular; she had murder is done. The Doctor was a regular man; his outgoings and incomings were regular; she had watched them; she knew them. But there was a highly honorable man who had no part nor parcel in that household, who lived in that third story, he who, occupied with professional and public cares, had little knowledge of the infamy that clustered round him. She went to him on this very Friday, as he was going out, and by inquiring about his fire gained from him the knowledge that it would be midnight before he returned, and in the hearing of Dr. Thempson, in his hearing she says to Dr. Burdell:

"What time will you return to-night?"

Her own household she could take care of. There was her paramour, whose interests were subservient to hers. There were ner daughters, whom we would not, was her paramour, whose interests were subservieut to hers. There were ner daughters, whom we would not, except in a Court of Justice, accuse of a misprision of treason in trying to shield their mother. There was a boy, young in years, it is true, but at the same time as artful a boy as you ever set your eyes upon. There was the cook, who, wearied by the toils of the day would sink away into profound forgetfulness as soon as her head touched the pillow; there were the little boys, who slept in the innocence of childhood. Why Gentlemen, in the whole annals of murder you wil never find an opportunity so carefully provided for as the opportunity given by this woman, on this night, to murder her enemy. The up-stairs lodger out for all night; the exact time given from his own lips when he was to return: her family to be taken care of—but, sh! the cook! One domestic had gone; there was only one left in the house, and she must be got out of the way. "Oh!" said this lying woman on the stand—and the discrepancy is enormust be got out of the way. "Oh!" said this lying woman on the stand—and the discrepancy is commons; the very hand of Providence is in this incident—this lying woman, on the stand, said: "I rang the bell for the cook to come up into the parlor, and the cook came up into the parlor, and received her orders for the next day, and I dismissed her so bed." Why! see what the cook will say when she comes upon the stand: "Mistress, you came down into the kitchen with this paramour of yours, and—a thing you had seldom done before—you ordered me to bed, although you knew I was the only servant in the house, and had a double duty to perform." Andeo, on this Friday night, the lodger out, the cook sent up stairs to bed, the family disposed of, she has this deed ready. She has once stolen his safe-key; she has once stolen his pistol; she has a dagger of her own—and everything is ready for his coning—and she woo had always haunted and hunted him, as you will remember on the testimony when it comes to be offered before you—I pray your attention to that—who had watched him on Friday, who had watched his conversation with Dr. Cox, who will be upon the stand, and with Dr. Blaisdell, who will also be upon the stand, and with Dr. Blaisdell, who will also be upon the stand, was watching for his coming. Now, we shall show to you that the situation of that house utterly excluded the interference of any outside person; we shall show you that when the boy came there in the morning the basement door was locked, and when he went out of the yard, the egress there had been shut off; and on the front door was locked, and when he went out of the yard, the egress there had been shut off; and on the front door was locked, and when he went out of the yard, the egress there had been shut off; and on the front door was locked, and when he went out of the yard, the egress there had been shut off; and on the front door was locked, and then he went of the lock of the heart, and run-less risk of detection if escaping from the house, with bloody garmen

manslaughter. It would be hardly fair in me, perhaps, to say or to ask, was that idea the faintest reflection of a client's confession, and I shall not; but I will say thin in his candor and fairness as a counsel before the Jury to say where are the circumstances and the marks which show upon that murdered man's hely anything that would show the blows of mark spasmodic passion, which in the cooling of time weald justify, anything that would show the blows of mark spasmodic passion, which in the cooling of time weald bring the hour of remorse. No, gentlemen iften wounds upon that body speak—the wound in the seek, the two'in the heart, the wound over the right shoulder, they would in this wrist, the three wounds in this arm, the wound in the abdome, another wound in the right side of the neck—speak not of blows of spasmodic, temporary passion for cooling time to bring regret—speak not the blew of self-defence against some sudden attack, which the law would place in the category of justifiable and stocks and the life-tide flowing rapidly from his heart and the life-tide flowing rapidly from his heart and and the life-tide flowing rapidly from his heart and any the mark assurance doubly sure, to render a thing of certainty that this enemy had gone, that this discarded paramour, this victim of realously, of hate and of revenge, this victim who had dared to make an appointment for the next means to set his hand to a paper to bargain away her right of property and her home; this victim who had in fed fillment of bloody threats that had not yet cooled sway from her lips; whoever did that deed was in all human probability covered from head to foot with bloody sheet had committed the petit larceny of stealing personating—from the bloody dagger, from the bloody sheet, from the advocate speaks about a pool of blood around the weltering, dend corpse—little marks of blood upon the dead wurling, dend corpse—little marks of blood upon the dead furniture—no figure of romans when the advocate speaks about a pool of blood around

"Heaven hath no rage like love to haired turned, And hell no fury like a woman scorned." And hell no fury like a woman secraed."

And scorned she had been—scorned to her acquaintances, scorned to her face, scorned to her domestica. Into no other breast but hers came that night that hell that hath no fury like a woman scorned, and by every hypothesis it was the hand of some one who knew that house, who had the time to stay; and in that room back there sat a silent watcher, a sick man, and saw the form of some one in there a man whom when hypothesis it was the hand of some one who knew that house, who had the time to stay; and in that room back there sat a silent watcher, a sick man, and saw the form of some one in there—a man whose evidence has never been given to the public; and though it forms in itself the essence of a very small circumstance, it shows conclusively to the mind of the prosecution that there was no haste about that thing; that it was as deliberately followed up as it had been deliberarily planned and promptly and efficiently executed. There has the dead man, the shadows of midnight falling yound him and the crime, and she alone with him. I choese to make no charges yet against those who were in that house; she stands alone in this indictment, and alone we are at present trying her. I choese not to ask you to picture to yourselves the aid of a child, and that child a daughter—let the circumstances give their own solution to each of your minds; and in contemplating this catastrophe, you must irresistibly be led to think that that deed was the deed of some one in that house; for, locked and barred as it was, it stood as much alone, although in a populous city, as if it were in a hammer's on a meath. Then lies the body, carefully and decently laid out. Who but a sman, whose artitulness and cunning only go to a certain extent, would ever harbor in her thought that persons would take that man to be either the suicide—a man who had died by his own inamition, or a man who had been mindered by some one who escaped as hastily and as rapidly as he came! Who but a woman would have laid that head so near the door that it was very difficult to turn the door? Who but she who had a paskey to leave by the other room? There is a fire in that room, and a wash-closet close at hand; the lodger is not to come in until 12 o'clock; the moments are precious and precious moments have their haste as well as their desperation. The lighter garments can be burned there, the odor would go through the house; if it were to be burned in the kitchen the odor wo

by her to you; because these physical signs are to be accounted for by explanation destroying the evidence of her guilt. All night long he lies there, and the gas which has been lighted is burning; it is found next meraing, and the key is on the outside; his watch is stopped, at 6j o'clock in the morning, showing that the deed had been done almost at the moment he entered the room, as he had no time to lock the door and wish his watch. And they up stairs, she the former mistress, the wife, as she says, up stairs merry-making. Word is brought to her by the inmates of the house and than eighbors that Dr. Burdell is dead. He is dead; they tell her so. What, gentlemen, is the instinct of the man or the woman, not to say the wife or relative, but even the friend! There is one of two things: either the fainting and the unconsciounness at the dreadful news, or the rushing to see if it be true. She was ready to act her part. She does not go down; she has great apparent agitatios, but no redness of the eyes of any consequence, and when Dr. Main comes in and says. 'Dr. Burdell is dead,' she says: "Oh! I am so glad to hear that,' not to see it, for even then she had not gone down stairs to see it, and even then she had not gone down stairs to render that duty which, as a wife, she had sworn to render. "I am so glad to hear that, for "I thought he was murdered," and almost instantly. 'I have a dreadful secret to tell you," she says to this one and that one, and out comes the marriage certificate: "My name is Emma. Augusta Burdell; I was "married to the Doctor; here is my certificate." No going down yet to see whether he were dead or murdered, but moving about the room, spasmodically is one corner, calm in the next, theatrically tearing her here hair in another place—the same feelings in her breast that were there on that night when the variances are that were there on that night when the variances could not see the redness upon the roses that were there on that night when the was made on the corner sent that were there on that night when the winds and have connec!" Why, what has the woman to do with counsel! He there said and succor and to close her lipst the

services was herefor her